

SECOND REGULAR SESSION

SENATE BILL NO. 1244

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BARNITZ.

Read 1st time February 28, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

5394S.011

AN ACT

To amend chapter 620, RSMo, by adding thereto one new section relating to the entrepreneurial development council.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 620, RSMo, is amended by adding thereto one new
2 section, to be known as section 620.050, to read as follows:

**620.050. 1. There is hereby created, within the department of
2 economic development, the "Entrepreneurial Development
3 Council". The entrepreneurial development council shall consist of
4 seven members from businesses located within the state and licensed
5 attorneys with specialization in intellectual property matters. All
6 members of the council shall be appointed by the governor with the
7 advice and consent of the senate. The terms of membership shall be set
8 by the department of economic development by rule as deemed
9 necessary and reasonable. Once the department of economic
10 development has set the terms of membership, such terms shall not be
11 modified and shall apply to all subsequent members.**

**12 2. The entrepreneurial development council may, as provided by
13 department rule, impose a registration fee for entrepreneurs of this
14 state who desire to avail themselves of benefits, provided by the
15 council, to registered entrepreneurs.**

**16 3. There is hereby established in the state treasury, the
17 "Entrepreneurial Development and Intellectual Property Right
18 Protection Fund" to be held separate and apart from all other public
19 moneys and funds of the state. The entrepreneurial development and
20 intellectual property right protection fund may accept state and federal
21 appropriations, grants, bequests, gifts, fees and awards to be held for**

22 use by the entrepreneurial development council. Notwithstanding
23 provisions of section 33.080, RSMo, to the contrary, moneys remaining
24 in the fund at the end of any biennium shall not revert to general
25 revenue.

26 4. Upon notification of an alleged infringement of intellectual
27 property rights of a entrepreneur, the entrepreneurial development
28 council shall evaluate such allegations of infringement and may, based
29 upon need, award grants or financial assistance to subsidize legal
30 expenses incurred in instituting legal action necessary to remedy the
31 alleged infringement. Pursuant to rules promulgated by the
32 department, the entrepreneurial development council may allocate
33 moneys from entrepreneurial development and intellectual property
34 right protection fund, in the form of low interest loans and grants, to
35 registered entrepreneurs for the purpose of providing financial aid for
36 product development, manufacturing, and advertising of new products.

37 5. Any rule or portion of a rule, as that term is defined in section
38 536.010, RSMo, that is created under the authority delegated in this
39 section shall become effective only if it complies with and is subject to
40 all of the provisions of chapter 536, RSMo, and, if applicable, section
41 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
42 and if any of the powers vested with the general assembly pursuant to
43 chapter 536, RSMo, to review, to delay the effective date, or to
44 disapprove and annul a rule are subsequently held unconstitutional,
45 then the grant of rulemaking authority and any rule proposed or
46 adopted after August 28, 2008, shall be invalid and void.

Copy ✓